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April 12, 2000

By Federal Express

David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

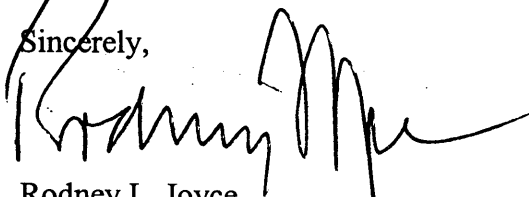
Re: Network Access Solutions Corporation - No. 99-00387

Dear Mr. Waddell:

Enclosed for filing is the original and 13 copies of the "Small and Minority-Owned Telecommunications Participation Plan" of the applicant in the above proceeding. At the request of Authority staff, the enclosed Plan replaces the similar plan that was included as Exhibit E to the application as filed.

Please stamp the extra copy to reflect the date the enclosed Plan is filed and return it to me in the enclosed stamped and self-addressed envelope.

Sincerely,



Rodney L. Joyce  
Counsel for Network Access Solutions Corp.

Enclosure

cc: Darrell Whitis (by Federal Express)

POSTED  
4-14-00

**NETWORK ACCESS SOLUTIONS CORPORATION**

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**SMALL AND MINORITY-OWNED  
TELECOMMUNICATIONS BUSINESS  
PARTICIPATION PLAN**

Pursuant to T.C.A. § 65-5-212, as amended, Network Access Solutions Corporation (“NAS”) submits this small and minority-owned Telecommunications business participation plan (the “Plan”) in connection with its Application for Certificate of Public Convenience and Necessity to provide competing intrastate interexchange and local exchange services in Tennessee.

## **I. PURPOSE**

The purpose of Section 65-5-212 is to provide opportunities for small and minority-owned businesses to provide goods and services to Telecommunications service providers. NAS is committed to the goals of Section 65-5-212 and to taking steps to support the participation of small and minority-owned Telecommunications businesses in the telecommunications industry. NAS will endeavor to provide opportunities for small and minority-owned Telecommunications business to compete for contracts and subcontracts for goods and services. As part of its procurement process, NAS will make efforts to identify and inform minority-owned and small businesses that are qualified and capable of providing goods and services to NAS of such opportunities. NAS’s representatives will contact the Department of Economic and Community Development, the administrator of the small and minority-owned Telecommunications assistance program, to obtain a list of qualified vendors. Moreover, NAS will seek to increase awareness of such opportunities so that companies not otherwise identified will have sufficient information to participate in the procurement process.

## **II. DEFINITIONS**

As defined in Section 65-5-212:

*Minority-Owned Business.* Minority-owned business shall mean a business which (i) is at least fifty-one percent (51%) owned by an individual who personally manages and controls daily operations of such business and who is impeded from normal entry into the economic mainstream because of race, religion, sex or national origin and (ii) has annual gross receipts of less than four million dollars (\$4,000,000).

*Small Business.* Small business shall mean a business with annual gross receipts of less than four million dollars (\$4,000,000).

### **III. ADMINISTRATION**

NAS's Plan will be overseen and administered by the individual named below, hereinafter referred to as the Administrator, who will be responsible for carrying out and promoting NAS's efforts to provide equal opportunities for small and minority-owned businesses. The Administrator of the Plan will be:

Ned Feldman  
Vice President of Carrier Relations  
Network Access Solutions Corporation  
13650 Dulles Technology Drive  
Herndon, Virginia 20171-4602  
Tel: (703) 472-7700  
Fax: (703) 472-7706

The Administrator's responsibilities will include:

- (1) maintaining an updated Plan in full compliance with Section 65-5-212 and the rules and orders of the Tennessee Regulatory Authority;
- (2) establishing and developing policies and procedures necessary for the successful implementation of the Plan;
- (3) preparing and submitting such forms as may be required by the Tennessee Regulatory Authority, including the filing of required annual updates;
- (4) serving as the primary liaison to the Tennessee Regulatory Authority, other agencies of the State of Tennessee, and small and minority-owned businesses to locate and use qualified small and minority businesses as defined in Section 65-5-212.
- (5) searching for and developing opportunities to use small and minority-owned businesses and encouraging such businesses to participate in and bid on contracts and subcontracts.
- (6) providing records and reports and cooperate in any authorized surveys as required by the Tennessee Regulatory Authority;
- (7) establishing a record-keeping system to track qualified small and minority-owned businesses and efforts to use such businesses; and
- (8) providing information and educational activities to persons within NAS and training such persons to seek out, encourage, and promote the use of small and minority-owned businesses.

In performance of these duties, the Administrator will utilize a number of resources, including:

Chamber of Commerce  
The Tennessee Department of Economic and Community Development  
The United States Department of Commerce  
    Small Business Administration  
    Office of Minority Business  
The National Minority Supplier Development Council  
The National Association of Women Business Owners

The National Association of Minority Contractors  
Historically Black Colleges, Universities, and Minority Institutions

The efforts to promote and ensure equal opportunities for small and minority-owned businesses are primarily spelled out in the Administrator's duties above. Additional efforts to provide opportunities to small and minority-owned businesses will include offering, where appropriate and feasible, small and minority-owned businesses assistance with technical, insurance, bonding, licensing, production, and deadline requirements.

#### **IV. RECORDS AND COMPLIANCE REPORTS**

NAS will maintain records of qualified small and minority-owned businesses and efforts to use the goods and services of such businesses. In addition, NAS will maintain records of educational and training activities conducted or attended and of the internal procurement procedures adopted to support this Plan.

Network Access Solutions Corporation

SMALL AND MINORITY-OWNED  
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NAS will submit records and reports required by the Tennessee Regulatory Authority concerning the Plan. Moreover, NAS will cooperate fully with any surveys and studies required by the Tennessee Regulatory Authority.

NETWORK ACCESS SOLUTIONS CORPORATION

By: Ned Feldman

Ned Feldman  
Vice President of Carrier Relations

Dated: April 7, 2000